

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

JAMES CULPEPPER AND
FRANCHELE ADAMS,

Case No. 15-12386

Plaintiffs,

Honorable Nancy G. Edmunds

v.

DETROIT POLICE OFFICER HAROLD
ROCHON, ET AL.

Defendants.

ORDER OF DISMISSAL AS TO PLAINTIFFS' STATE LAW CLAIM

Plaintiffs James Culpepper and Franchele Adams filed suit against a number of Detroit Police Officers alleging violations of the United States Constitution and 42 U.S.C. § 1983. Additionally, Plaintiffs have asserted one count of gross negligence under Michigan state law.

Seeing as the parties to this matter are non-diverse, this Court declines to exercise supplemental jurisdiction over the latter claims so as to avoid jury confusion. See 28 U.S.C. § 1367(c); *Moor v. County of Alameda*, 411 U.S. 693, 716 (U.S. 1973); *Padilla v. City of Saginaw*, 867 F. Supp. 1309 (E.D. Mich. 1994). Thus, pursuant to 28 U.S.C. § 1367(c), all of Plaintiffs' claims based on state law, including Count II, are hereby DISMISSED WITHOUT PREJUDICE. This Court will retain jurisdiction over Plaintiffs' federal claims only.

SO ORDERED

s/Nancy G. Edmunds
Nancy G. Edmunds
United States District Judge

Dated: July 23, 2015

I hereby certify that a copy of the foregoing document was served upon counsel of record on July 23, 2015, by electronic and/or ordinary mail.

s/Carol J. Bethel
Case Manager